

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KENYON D. BROWN,

Plaintiff,

v.

NORTH KERN STATE PRISON, et al.,

Defendants.

Case No. 1:20-cv-01396-JLT-SKO (PC)

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS TO DISMISS  
ACTION FOR FAILURE TO STATE A  
FEDERAL CLAIM**

(Doc. 35)

On December 30, 2021, the assigned magistrate judge issued a first screening order, finding that Plaintiff's first amended complaint failed to state a cognizable claim under federal law. (Doc 32.) The magistrate judge directed Plaintiff to file a second amended complaint within 21 days curing the deficiencies identified therein. (*Id.* at 5.) Plaintiff filed a second amended complaint on January 13, 2022. (Doc. 33.)

Thereafter, the assigned magistrate judge issued Findings and Recommendations, recommending the action be dismissed for Plaintiff's failure to state a cognizable federal claim. (Doc. 35.) Plaintiff has not filed any objections, and the time to do so has passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the Findings and Recommendations to be supported by the record and proper analysis. Accordingly, the Court **ORDERS**:

- 1           1. The Findings and Recommendations issued on January 20, 2022 (Doc. 35) are adopted
- 2           in full.
- 3           2. The action is dismissed for Plaintiff's failure to state a claim upon which relief can be
- 4           granted; and,
- 5           3. The Clerk of the Court is directed to terminate all pending motions and to close this
- 6           case.

7  
8       IT IS SO ORDERED.

9       Dated: **March 15, 2022**

  
UNITED STATES DISTRICT JUDGE